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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,517	02/28/2002	Kenji Inose	SONYJP-150	5399

530 7590 10/04/2005

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EXAMINER	
AGHDAM, FRESHTEH N	
ART UNIT	**PAPER NUMBER**
2631	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/980,517	INOSE ET AL.	
	Examiner	Art Unit	
	Freshteh N. Aghdam	2631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 6/27/2005 have been fully considered but they are not persuasive.

Applicant's Arguments: Applicant argues, in page 5, lines 9-18, the claimed invention is not taught or suggested by Na "different kinds of transmission media be used and that processing be performed in accordance with the kind of transmission medium over which information was received. Both independent claims (I and 6) provide that the signal be received via at least one of a plurality of different kinds of transmission media. Furthermore, processing is subsequently performed on a signal based upon the kind of the at least one transmission medium over which the signal was received. This adaptive nature of the invention provides far broader application than was available with the prior art."

Examiner Response: Examiner asserts that independent claims 1 and 6, recite "A receiving method/apparatus for receiving a signal via at least one of a plurality of different kinds of transmission media... Performing receiving and demodulating processes on said signal according to the kind of said transmission medium... controlling said processing step dependent upon the kind of said at least one kind of transmission medium"; therefore, based on the broadest reasonable interpretation of the claimed subject matter, one transmission medium would be sufficient to overcome the cited limitation. Na teaches this limitation see (Col. 1, Lines 9-29).

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Na et al (US 6,366,731).

As to claims 1 and 6, Na teaches a receiving apparatus that receives a signal via transmission medium, comprising: receiving and demodulating means; control means for controlling the receiving and demodulating; the receiving and demodulating including: interface means for transmitting and receiving from the control means, a command set defined in advance with a given communication protocol; and a process control means for converting control command into recognizable data for the processing means. Na teaches a receiving and demodulating means (Col. 4, Lines 36-Col. 6, Line2; Fig. 3, means 101, 102, 106, and 107) comprising a tuner, which is the first element after the receiving antenna as a receiving means of an incoming signal; and a channel decoder, and further audio and video decoders for demodulating the incoming signal. Na teaches a control means (Col. 6, Lines 35-; Fig. 3, means 102 and 103) for controlling the receiving and demodulating and generating a control command at the output of the switching controller 103 responsive to control data received at the control input (Fig. 3, means 102, 103, and 114). Na teaches the receiving and demodulating means including an interface means for transmitting and receiving form the control

means. The interface means, an IEEE 1394 serial bus, is represented by a dotted line, between the ATV (Advanced Television) and the HD-VCR (High-Definition-Digital Video Cassette Recorder) see (Fig. 3; Col. 1, Lines 9-29). Na teaches the receiving and demodulating means including command set defined in advance jointly by the interface means and the control means in accordance with a given communication protocol (Col. 1, Lines 9-29) called the Audio/Video Control Command and Transaction Set (AV/C CTS). Na teaches a process control means for converting control command into recognizable data (control) for the processing means. The parsers (Fig. 3, means 104, 105, 108, and 112; Col. 5, Lines 9-22; Col. 6, Lines 37-) process PSI (Program Specific Information), PAT (Program Association Table), PMT (Program Map Table), PIDs (Packet Identification Numbers), and CAT (Conditional Access Table) data from the incoming signal in order to correctly process the input signal (Col. 4, Lines 45-67). Na teaches the process control means containing a control program corresponding to at least one of the kinds of transmission media (IEEE 1394 serial bus; Fig. 3, means 115 and 116; Col. 5, Lines 9-22; Col. 6, Lines 37-).

As to claim 2, Na teaches a receiving apparatus, comprising a control command set which is predefined, independent of the transmission medium. The control command set taught by Na is the AV/C CTS (Col. 1, Lines 1-29).

As to claim 3, Na teaches a receiving apparatus, comprising the control command can be sent from a remote controller to a local device via the IEEE 1394 serial bus (Col. 1, Lines 9-29).

As to claim 4, Na teaches a receiving device comprising a process control means for converting control command into recognizable data for the processing means. The parsers (Fig. 3, means 104, 105, 108, and 112) process PSI, PAT, PMT, PIDs, and CAT data from the incoming signal, in order to correctly process the input signal (Col. 4, Lines 45-67).

As to claim 5, Na teaches a receiving device, comprising a bus where the bus is an IEEE 1394 serial bus (Col. 1, Lines 9-29).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fitzpatrick (US 2002/0012347) see Fig. 3, Par. 24-26 regarding a digital broadcasting receiver compatible to different transmission mediums.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freshteh N. Aghdam whose telephone number is (571) 272-6037. The examiner can normally be reached on Monday through Friday 9:00-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Freshteh Aghdam
September 29, 2005

KEVIN BURD
PRIMARY EXAMINER